

**LOEB & LOEB LLP**

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*Attorneys for Defendants Joan Rivers  
and Rugby Productions Ltd.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
:  
WILLIAM SAMMETH  
:  
Plaintiff,  
:  
v. Civil Action No. 10 CIV 4894 (AKH)  
:  
JOAN RIVERS a/k/a Joan Rosenberg, and  
:  
RUGBY PRODUCTIONS LTD.,  
:  
Defendants.  
:  
-----X

**NOTICE OF MOTION**

PLEASE TAKE NOTICE, that upon the accompanying Declaration of Michael P. Zweig, with exhibits, dated September 20, 2010, the accompanying memorandum of law, dated September 20, 2010, and the pleadings and record had to date herein, Defendants Joan Rivers and Rugby Productions Ltd., by their attorneys Loeb & Loeb LLP, will move this Court (Hon. Alvin K. Hellerstein) as soon as counsel can be heard at the United States Courthouse located at 500 Pearl Street, New York, New York 10007, for an Order, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing Plaintiff's claims for libel and slander, misappropriation, conversion, account stated, and declaratory relief (Claims 3-7) as set forth in Plaintiff's Amended Complaint.

PLEASE TAKE FURTHER NOTICE that pursuant to Rule 6.1(b) of the Local Civil Rules of the Southern and Eastern Districts of New York, answering papers, if any, shall be filed 14 days after service of these moving papers.

Dated: New York, New York  
September 20, 2010

LOEB & LOEB LLP

By: 

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